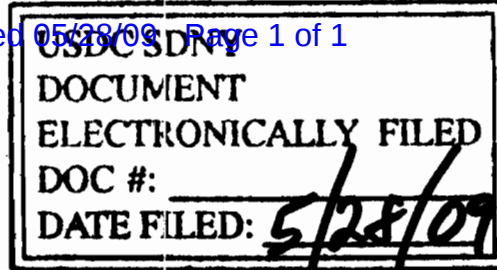


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re FANNIE MAE 2008 SECURITIES :  
LITIGATION :  
: :  
: :  
-----X



08 Civ. 7831 (GEL)

**ORDER**

GERARD E. LYNCH, District Judge:

By letter dated May 13, 2009, counsel for plaintiff in Kramer v. Federal National Mortgage Association, 09 Civ. 1352, has advised the Court that prior to that action's transfer to this Court, there was a fully briefed motion for remand pending in the United States District Court for the District of New Jersey. Although counsel for defendant Fannie Mae argues that any such motion was disposed of by this Court's April 16, 2009, case management order (5/19/09 Brandt Ltr. at 1-2), this argument is unpersuasive. By its terms, the case management order "disposes of all motions for consolidation, appointment of lead plaintiff, or other miscellaneous relief that have been filed in the Fannie Mae Securities Actions." While defense counsel invites the Court to classify the motion for remand as "other miscellaneous relief," the Court was not aware of the existence of any such motion at the time it entered the case management order and, even if it had been, the motion for remand is manifestly not to the sort of relief to which the case management order refers. Accordingly, it is hereby ORDERED:

1. Plaintiff Daniel Kramer shall file the motion for remand with the Clerk of the Court.
2. The motion for remand shall be considered an open motion to be addressed by the Court in due course.

SO ORDERED.

Dated: New York, New York  
May 28, 2009

  
GERARD E. LYNCH  
United States District Judge